## SOUTH DAKOTA BOARD OF NURSING

IN THE MATTER OF THE LICENSURE PROCEEDINGS

RE:

MALCOLM LEWIS, RN

LETTER OF REPRIMAND WITH MANDATED HPAP

License No. R043294

Licensee.

TO: Malcolm Lewis
c/o Kathryn Hoskins
Bangs McCullen Law Firm
6340 S. Western Ave., Ste. 160
P.O. Box 88208
Sioux Falls, SD 57109-8208

The South Dakota Board of Nursing ("Board") met in Sioux Falls, South Dakota, for its regular meeting on February 17, 2017. At that meeting the Board was advised of the informal meeting that was held between you and Board staff on January 3, 2017, at which time an audit of your narcotic administration was discussed. The Board also reviewed information regarding your discrepancies in documentation of waste of controlled substances, failure to document waste of controlled substances and numerous occasions of pulling narcotics and not documenting as given until several hours after pulling the medication.

Based on the information provided to the Board, the Board has determined that your conduct is in violation of its policy as well as SDCL § 36-9-49(4).

Therefore, the Board, according to the disciplinary procedures outlined in ARSD 20:48:08, issues this Letter of Reprimand. In addition, the Board hereby mandates you to the

Health Professionals Assistance Program ("HPAP") for a time and term to be determined by HPAP. Per Nurse Licensure Compact regulations, a licensee mandated into such a program as HPAP shall be granted a single state license only. Your participation in HPAP is mandatory in order for you to maintain an active, unencumbered single state license in South Dakota. To meet this mandate, you must contact HPAP within five (5) business days of this directive. You will be required to follow all HPAP recommendations and time lines. Failure to comply with any aspect of this program and its contract will result in disciplinary action by the Board. To become enrolled, you are instructed to contact the HPAP office at 605-275-4711.

This final action is reportable discipline and will be published in the Board's newsletter, posted on its website, and reported into the National Practitioner Data Bank (NPDB) as required by law. As this is a reportable discipline, you are required to provide an affirmative response to inquiries of disciplinary action on further renewals and other nursing related inquiries.

Dated this 24 day of February, 2017.

SOUTH DAKOTA BOARD OF NURSING

Gloria Damgaard, RN, MS

**Executive Director**